

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

LISA RYAN MURPHY
ADC #760343

PLAINTIFF

V.

No. 3:20CV00011-DPM-JTR

TONI BRADLEY, Warden,
McPherson Unit, *et al.*

DEFENDANTS

ORDER

Murphy has filed a “Motion to Compel” Defendant “Dr. Griffen” to file an Answer to her Complaint. *Doc. 41*. On January 23, 2020, the Court directed the United States Marshal to serve “Dr. Griffen” by delivering the summons and Complaint to him through Humphries, Odum & Eubanks (“HO&E”), who accepts service on behalf of employees of Wellpath LLC, the health-care provider for the Arkansas Division of Correction (“ADC”).¹ Documents attached to the executed summonses served on HO&E for the other Medical Defendants states that HO&E did *not* accept service on Griffen’s behalf. *See Doc. 13 at 2*.

On April 16, 2020, Murphy filed discovery requests with the Court, which refer to “Rory Griffen.” *Doc. 22 at 7*. The record also contains documents showing

¹The Complaint alleged that “Dr. Griffen” (and Defendants Dr. Hughes, APN Hutchinson, DON Baker and Dr. Stieve) “stopped/discontinued all further treatment” for Murphy’s heart condition “due to previous legal action against them.” *Doc. 2 at 7*.

that Rory L. Griffin, the ADC Deputy Director for Health and Correctional Services, rejected several of her grievance appeals as untimely or without merit.² *Doc. 2 at 17; Docs. 28-4, 28-5 & 28-6*. Thus, it is clear that “Dr. Griffen” is “Rory L. Griffin, ADC Deputy Director for Health and Correctional Services.” This also explains why HO&E refused to accept service of the summons and Complaint for “Dr. Griffen.” Thus, Defendant Griffin must be served through the ADC.

Murphy’s Motion to Compel (*Doc. 41*) is DENIED because Griffin has not yet been served.

The Clerk is directed to correct the docket sheet to reflect that “Dr. Griffen” is “Rory L. Griffin.” The Clerk is directed to prepare a new summons for Defendant Rory L. Griffin, and the United States Marshal is directed to serve the summons and Complaint (*Doc. 2*), and this Order, on Defendant Griffin through the ADC Compliance Division without prepayment of fees and costs or security therefor.

IT IS SO ORDERED this 24th day of June, 2020.


UNITED STATES MAGISTRATE JUDGE

²As the ADC Deputy Director for Health and Correctional Services, Defendant Griffin reviews all medical grievances at the third and final level of the ADC’s administrative review process. *See Doc. 28-1 at 13; Doc. 28-2 at 13; Doc. 44 at 3.*